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Express Mail Label No. EL598673206US

Docket No.: END9 2000 0184 US

NEW UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages this Submission: 3

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

12/21/00

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Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

System and Method for Determining Network Discrete Utilization

and invented by:

HARRY R. GAIL, JR., FREDRICK K. P. KLASSEN, ROBERT M. SILVERMAN

ASSIGNEE: INTERNATIONAL BUSINESS MACHINES CORPORATION

RESIDENCE OF ASSIGNEE: ARMONK, NEW YORK

If a CONTINUATION APPLICATION, check the appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part(CIP) of prior application No.:

Enclosed are:

Application Elements

01. ☒ Filing fee as calculated and transmitted as described below

02. ☒ Specification having 68 pages and including the following:

- a. ☒ Descriptive Title of the Invention
- b. ☒ Cross References to Related Applications (if applicable)
- c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
- d. ☐ Reference to Microfiche Appendix (if applicable)
- e. ☒ Background of the Invention
- f. ☒ Brief Summary of the Invention
- g. ☒ Brief Description of the Drawings (if drawings filed)
- h. ☒ Detailed Description
- i. ☒ Claim(s) as Classified Below
- j. ☒ Abstract of the Disclosure

03. ☒ Drawing(s) when necessary as prescribed by 35 USC 113)

- a. ☐ Formal
- b. ☒ Informal

Number of sheets: 9

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Application Elements (Continued)

04. ● Oath or Declaration

- a. ☐ Newly executed (original or copy) ● Not executed
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ● With Power of Attorney ☐ Without Power of Attorney

05. ☐ Incorporation By Reference *(usable if box 4b is checked)*

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of accompanying application and is hereby incorporated by reference therein.

06. ☐ Computer Program in Microfiche *(Appendix)*

07. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*

- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

08. ☐ Assignment Papers *(cover sheet & document(s))*

09. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*

10. ☐ English Translation Document *(if applicable)*

11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS citation

12. ☐ Preliminary Amendment

13. ● Acknowledgment postcard

14. ● Certificate of Mailing

- ☐ First Class ● Express Mail (Label No: __EL598673206US)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

NEW UTILITY PATENT APPLICATION TRANSMITTAL**(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Total Pages this Submission: 3

Accompanying Application Parts (Continued)16. ☐ Additional Enclosures (identify below)

1c841 U.S. PTO
09/746179
12/21/00

Fee Calculation and Transmittal**CLAIMS AS FILED**

For	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	22	-20	2	x \$18.00	\$ 36.00
Indep. Claims	9	- 3	6	x \$80.00	\$ 480.00
Multiple Dependent Claims _____					\$
				BASIC FEE	\$ 710.00
Other FEE (Specify purpose)					\$
				TOTAL FILING FEE	\$1,226.00

- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit IBM Corporation Deposit Account No. 09-0457 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of \$1,226.00 as filing fee.
 - Credit any overpayment.
 - Charge any additional filing fees as required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 12/20/00

John Pivnichny
Signature

John R. Pivnichny
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IBM Corporation, N50/040-4
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Endicott, NY 13760
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CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Docket No.

Applicant(s): Harry R. Gail Jr. et al.

END92000084US

Serial No.

N/A

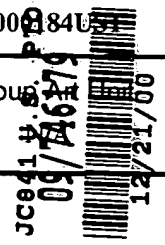
Filing Date

Herewith

Examiner

N/A

Group

Invention: **SYSTEM AND METHOD FOR DETERMINING NETWORK DISCRETE UTILIZATION**

I hereby certify that the following correspondence:

New Patent application and Declaration*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

12/21/00*(Date)***Denise M. Jurik***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL598673206US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**